

REMARKS

Claims 1 and 5-9 stand rejected under 35 U.S.C. § 103 as being unpatentable over United States Patent No. 6,545,955 to Iwata et al. in view of United States Patent No. 6,492,035 to Yamaguchi et al. Applicants respectfully traverses this rejection.

Applicants maintain and incorporate by reference herein those arguments previously advanced on pages 6 through 9 of Amendment B filed on February 17, 2004. Applicants respectfully request that the Examiner reconsider those arguments and withdraw this §103 rejection. In addition, although Applicants do not agree that the Examiner's proposed combination is proper, or that independent Claim 1 reads on the Examiner's proposed combination, Applicants have amended independent Claim 1 in order to expedite prosecution. In light of this, Applicants respectfully request that the Examiner consider the following new arguments and comments expanding upon the previous arguments.

Applicants respectfully submit that the cited references, alone or in combination, fail to disclose or suggest a magneto-optical recording medium that includes, *inter alia*, first and second reproducing layers "having perpendicular magnetization at room temperature," as defined in independent Claim 1. As disclosed in column 9, lines 1-4 and 8-12, reproduction layers 1 and 3 of the Iwata et al. reference exhibit in-plane magnetization at room temperature, and only change to perpendicular magnetization at temperatures above their transition temperatures. Thus, reproduction layers 1 and 3 of Iwata et al. do not have "perpendicular magnetization at room temperature." Further, the Examiner has not provided any motivation as to why one of ordinary skill in the art would modify the reproduction

layers of Iwata et al. so that they have perpendicular magnetization at room temperature, as defined in Claim 1. Accordingly, for at least this reason, Applicants respectfully request the withdrawal of this §103 rejection of independent Claim 1 and associated dependent Claims 5-9 under the combination of Iwata et al. and Yamaguchi et al.

Claim 2 stands rejected under 35 U.S.C. § 103 as being unpatentable over Iwata et al. in view of Yamaguchi et al. and further in view of United States Patent No. 6,020,079 to Matsumoto et al. Applicants respectfully traverse this rejection.

Claim 2 depends from independent Claim 1, and therefore includes all of the features of Claim 1, plus additional features. Accordingly, Applicants respectfully request that the §103 rejection of dependent Claim 2 under the combination of Iwata et al., Yamaguchi et al., and Matsumoto et al. be withdrawn for at least the same reasons advanced above in the remarks directed to independent Claim 1, and also because the Matsumoto et al. reference does not remedy the deficiencies noted above, nor was it relied upon by the Examiner as such.

Claim 3 stands rejected under 35 U.S.C. § 103 as being unpatentable over Iwata et al. in view of Yamaguchi et al. and further in view of United States Patent No. 6,356,516 to Tamanoi et al. Applicants respectfully traverse this rejection.

Claim 3 depends from independent Claim 1, and therefore includes all of the features of Claim 1, plus additional features. Accordingly, Applicants respectfully request that the §103 rejection of dependent Claim 3 under the combination of Iwata et al., Yamaguchi et al., and Tamanoi et al. be withdrawn for at least the same reasons advanced

above in the remarks directed to independent Claim 1, and also because the Tamanoi et al. reference does not remedy the deficiencies noted above, nor was it relied upon by the Examiner as such.

Claims 1 and 5-9 stand rejected under 35 U.S.C. § 103 as being unpatentable over United States Patent No. 6,125,083 to Nishimura et al. in view of Yamaguchi et al. Applicants respectfully traverse this rejection.

Applicants respectfully submit that the cited references fail to disclose or suggest all of the features of the present invention. More specifically, the cited references, alone or in combination, fail to disclose or suggest a magneto-optical recording medium that includes, *inter alia*, first and second reproducing layers have a “Curie temperature of between approximately 250°C and approximately 300°C,” as defined in independent Claim 1. Instead, the Curie temperature of the intermediate layer of Nishimura et al. (which is one of the layers that the Examiner equated with the claimed reproducing layers) is much lower (between 80°C and 220°C). *See e.g.*, col. 8, lines 46-61 of Nishimura et al. Further, the Yamaguchi et al reference does not provide any motivation to modify the reproducing layer to read on the claimed reproducing layers. Accordingly, Applicants respectfully submit that this §103 rejection of independent Claim 1 and associated dependent Claims 5-9 should be withdrawn.

Claim 2 stands rejected under 35 U.S.C. § 103 as being unpatentable over Nishimura et al. in view of Yamaguchi et al. and further in view of Matsumoto et al. Applicants respectfully traverse this rejection.

Claim 2 depends from independent Claim 1, and therefore includes all of the features of Claim 1, plus additional features. Accordingly, Applicants respectfully request that the §103 rejection of dependent Claim 2 under the combination of Nishimura et al., Yamaguchi et al., and Matsumoto et al. be withdrawn for at least the same reasons advanced above in the remarks directed to independent Claim 1, and also because the Matsumoto et al. reference does not remedy the deficiencies noted above, nor was it relied upon by the Examiner as such.

Claim 3 stands rejected under 35 U.S.C. § 103 as being unpatentable over Nishimura et al. in view of Yamaguchi et al. and further in view of Tamanoi et al. Applicants respectfully traverse this rejection.

Claim 3 depends from independent Claim 1, and therefore includes all of the features of Claim 1, plus additional features. Accordingly, Applicants respectfully request that the §103 rejection of dependent Claim 3 under the combination of Nishimura et al., Yamaguchi et al., and Tamanoi et al. be withdrawn for at least the same reasons advanced above in the remarks directed to independent Claim 1, and also because the Tamanoi et al. reference does not remedy the deficiencies noted above, nor was it relied upon by the Examiner as such.

Claims 1 and 5-9 stand rejected under 35 U.S.C. § 103 as being unpatentable over United States Patent No. 6,534,162 to Hirokane et al. in view of Yamaguchi et al. Applicants respectfully traverse this rejection.

Applicants respectfully submit that the proposed combination fails to include all of the features of the present invention. In particular, the Hirokane et al. reference fails to disclose or suggest first and second reproducing layers “having perpendicular magnetization at room temperature” as defined in independent Claim 1. As disclosed in column 4, lines 35-39, reproduction layer 1 of the Hirokane et al. reference is described as exhibiting in-plane magnetization at room temperature, and only changing to perpendicular magnetization at temperatures not lower than a critical temperature. Thus, the Hirokane et al. reference lacks the claimed “perpendicular magnetization at room temperature,” as defined in Claim 1. Further, the Examiner has not provided any motivation as to why one of ordinary skill in the art would modify the reproduction layer of Hirokane et al. so that it does have perpendicular magnetization at room temperature, as defined in Claim 1. Accordingly, for at least this reason, Applicants respectfully request the withdrawal of this §103 rejection of independent Claim 1 and associated dependent Claims 5-9 under the combination of Hirokane et al. and Yamaguchi et al.

Claim 2 stands rejected under 35 U.S.C. § 103 as being unpatentable over Hirokane et al. in view of Yamaguchi et al. and further in view of Matsumoto et al. Applicants respectfully traverse this rejection.

Claim 2 depends from independent Claim 1, and therefore includes all of the features of Claim 1, plus additional features. Accordingly, Applicants respectfully request that the §103 rejection of dependent Claim 2 under the combination of Hirokane et al., Yamaguchi et al., and Matsumoto et al. be withdrawn for at least the same reasons advanced above in the remarks directed to independent Claim 1, and also because the Matsumoto et al. reference fails to remedy the deficiencies noted above, nor was it relied upon by the Examiner as such.

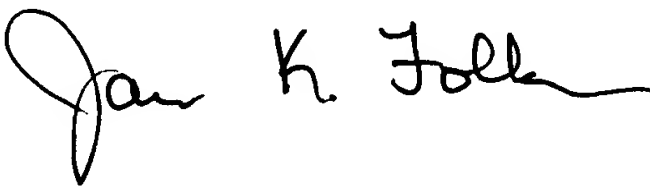
Claim 3 stands rejected under 35 U.S.C. § 103 as being unpatentable over Hirokane et al. in view of Yamaguchi et al. and further in view of Tamanoi et al. Applicants respectfully traverse this rejection.

Claim 3 depends from independent Claim 1, and therefore includes all of the features of Claim 1, plus additional features. Accordingly, Applicants respectfully request that the §103 rejection of dependent Claim 3 under the combination of Hirokane et al., Yamaguchi et al., and Tamanoi et al. be withdrawn for at least the same reasons advanced above in the remarks directed to independent Claim 1, and also because the Tamanoi et al. reference fails to remedy the deficiencies noted above, nor was it relied upon by the Examiner as such.

For all of the above reasons, Applicants request reconsideration and allowance of the claimed invention. Should the Examiner be of the opinion that a telephone conference would aid in the prosecution of the application, or that outstanding issues exist, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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April 13, 2004

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